to judgment. The article is largely critical and is more or less polemic in character. It deals with the technic to be observed the moment knowledge has come to the authorities of a capital crime.

When a crime has been committed the first thing to be done is to investigate it, to describe the elements which compel one to believe there has been a violation of law. The next step is to give a legal valuation and account of the crime, and to catalogue it as one or another sort of crime, to hunt for the criminal, to examine all exterior circumstances, the psychological conditions of the criminal, the punishment which shall be measured out, and finally, to determine the criminal's penal responsibility.

In the first catagory belong the data relative to the accusation. In the second catagory belong the data relating to the various decrees entered in each phase of the process.

It is clear that if all of the facts of the crime are known it is possible to mould the accusation with the actual facts at once. But if the surroundings of the crime lead to diverse conclusions, if a mere ocular inspection is not sufficient, it is clear then that the data relating to the accusation lead to no certain judgment until one or the other series of facts has been verified.

Take, for example, the case of actual homicide. The accuser has seen a person dead with marks of violence. First of all, what are the cases in which a death by violence does not represent a consummated murder. Immediately one would say suicide or accident. Immediately we say suicides and accidents are rare compared with murder. In the great majority of cases there can be no doubt when we have the circumstances and the witnesses. The difficulty is, however, that there may have been no eye witnesses, or that the circumstantial testimony is not simple or certain, but merely indicates in some subtle way the nature of the deed, but when the medical examination has been completed and the facts are gathered together the result is rarely in doubt. Now, if we think that some homicide might turn out to be a suicide or accident, or vice versa, that some suicide or accident might turn out to be a homicide, if we think that these two errors tend to equalize each other, it must be concluded that the difference between an accusation of a homicide and a homicide actually committed is from this point of view very slight; in other words, in the majority of cases the legal process will verify the accusation.

The conclusion of the author is that while the verification of the data produced on an accusation of homicide will, in the majority of cases, result in the discovery and conviction of the author of the murder, the problem must not be considered as one merely of method, but as a psychological problem. It is possible, of course, to have conclusions more or less logical and satisfying, but rigorous demonstrations are out of the question.—George F. Deiser.

Court Martial Records of the Confederacy—It is well known that all archives of the Confederate States, so far as they can be found, have been gathered and preserved by the Government of the United States in Washington. The keen interest excited during the great war in matters of military justice and trials by courts-martial has renewed interest in all that pertains to courts-martial. Inquiry has, therefore, been made as to the archives of the Confederacy so far as they relate to courts-martial. It is found that the remains

are very meager. About eleven books are at hand, but no files or papers of the cases tried, no testimony, pleadings, decisions at length, etc.

For convenience in filing and reference in the Archives Division of the War Department each of these books has been labeled as chapter one, with volume numbers added, from 194 to 201 each, inclusive, and three index volumes besides these.

Volume 194 is a "Record," containing, in alphabetical order, a list of court-martial trials in the Confederate army from early (April) 1861 to fall of 1862, with date of trial, name of soldier and his oragnization, and a brief statement of his sentence. Only incidentally is the nature of the charge disclosed. The sentences are usually light, and sometimes fantastic in nature, measured by present-day practices. In volume 195 are 3,114 cases entered in chronological order, not alphabetically, running from November, 1862, to July, 1863. Numerous sentences to death appear. A companion volume indexes volume 195 by letters of the alphabet, but no farther than the first letter. All names beginning with A are entered promiscuously under A, etc.

"Liber C" is the original entry on volume 196. The cases are numbered 1 to 2,468 in 1863, begin with 1 and run to 1,821 in 1864. The book holds cases from July, 1863, to February, 1864, entered chronologically, with simple details as in volume 194. A separate volume indexes these cases by first letter. All the foregoing volumes are leather bound, and written quite legibly in longhand.

Cases from 1 to 3,445, running chronologically from February 29, 1864, to April 1, 1865, bound in cloth, comprise volume 197. The last case entered is that of a private, who was tried by a military court March 28, 1865, with three others, and all ordered shot for desertion. The sentence was approved March 31.

Volume 198 runs from March 11, 1864, to April 1, 1865, cases numbered 1 to 4,394, chronologically. A separate index by first letter applies to this, too. Volume 199 contains various opinions of the judges advocate general and rulings at length for thirty-eight pages, as well as various indorsements on cases. Then follows alphabetical entry of cases in the years 1861 to 1864, with date, name, oragnization and "decision of court." To all this there is a separate index. Volume 200 contains only 28 pages entered, from January to March, 1865, outlining cases submitted to the Secretary of War. Vol. 201 is an alphabetical list of endorsements, opinions, etc., from March to December, 1864.

It is doubtful whether from these volumes much can be gathered of value in the consideration of matters of courts-martial. A few opinions of matters of constitutionality and of points of law are given. These may have worth in comparisons today. Some notion may be gathered of the extent of desertion, but generally the data is too meager to enable one to determine what offense was charged.—J. C. Ruppenthal, Major, Judge Advocate, U. S. Army, 125 State, War and Navy Building, Washington, D. C.